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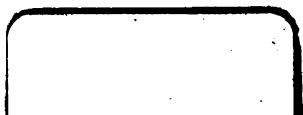
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AN

Livingston
Springs

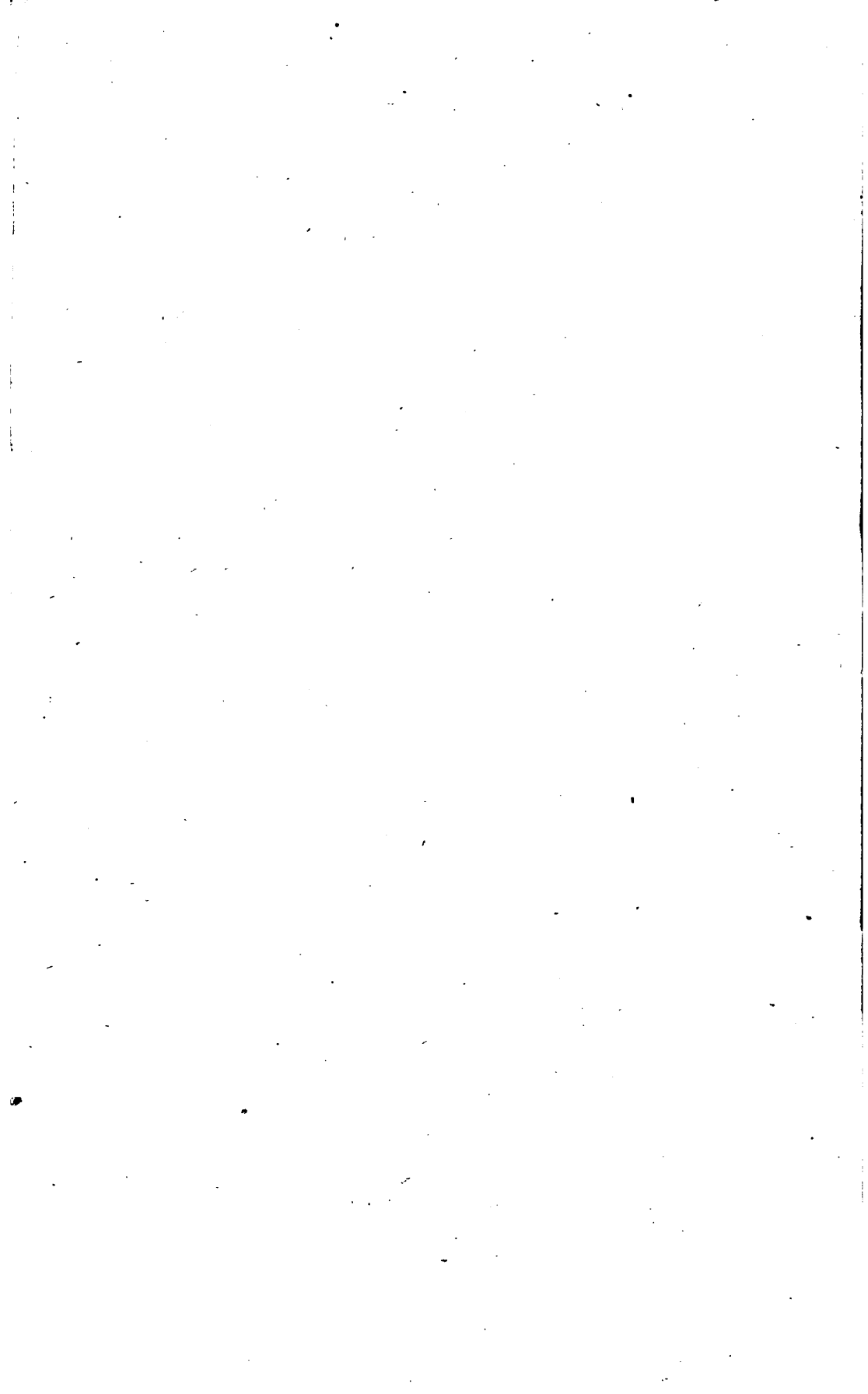
AN
ADDRESS *on ✓*
DELIVERED *R.R. Livingston*
ON THE ANNIVERSARY
OF THE
PHILOLEXIAN SOCIETY
OF
COLUMBIA COLLEGE,

MAY 15, 1831.

BY
JOHN W. FRANCIS, M.D.

NEW-YORK:
G. & C. & H. CARVILL.

M,DCCCXXXI.



AN
ADDRESS
DELIVERED BEFORE THE
PHILOLEXIAN SOCIETY
OF
COLUMBIA COLLEGE.

L.A.N

To MESSRS. DILLON,
BLANCHE,
GALLAGHER,
FISH,
EMORY, } *Committee.*

GENTLEMEN,—

Agreeably to your wishes, so kindly expressed,
I now furnish you with a copy of the Address which I had the
honour to pronounce on the Anniversary of the Philolexian
Society of Columbia College, in May last.

Accept the assurances of my most friendly feelings towards
the Society, and of my personal regard for yourselves.

JOHN W. FRANCIS.

NEW-YORK, JUNE 4, 1831.

A N A D D R E S S , & c .

LADIES AND GENTLEMEN,—

IN consenting to perform the unexpected task assigned me by your kind partiality, allow me to bespeak your indulgent criticism on the efforts of one long estranged by the duties of professional life from the contemplative studies of the scholar. Many years have passed since, within the walls of this honoured institution, I listened with delight, and I hope with profit, to the learned lessons of instructors, whose pride it was to adapt to the youthful capacity the matured fruits of their wisdom and knowledge. Death hath since called them from the sphere of their activity to their reward. I cannot but reflect with gratitude, that their devoted attention to our welfare lessened the labour

which was the necessary attendant on our studies : our lament, however, over their departure is lessened, when we turn to the chairs now so ably filled by their worthy and accomplished successors.

And here allow me, gentlemen, to testify to the high character of the Institution which I, the humblest of her alumni, boast as my *Alma Mater*. Connected to her by no other relation, justice alone compels me to declare, that among the temples to learning which the piety and public spirit of our countrymen have reared up among us, none can boast superiority in the ability of its teachers, or in the judicious and ample courses of instruction afforded to its pupils.

To you, young gentlemen, who now occupy those scholastic seats which myself and my former juvenile associates once held, permit me to advert to the ample and capacious theatre of action which the American republic offers to her ingenuous youth. Although I am persuaded that in the discharge of the numerous and responsible duties of your future life, the monitions of justice, and the dictates of your own consciences, will ever be the governing principles of your actions, yet it

is not inconsistent with the purest feelings of the heart, to be cheered in your arduous career by a generous and laudable desire of distinction.

Who, says the illustrious author of the *Faerie Queene*,

"Who would care to do brave deeds
Or strive in virtue others to excel,
If none should yield him his deserved meed
Due praise, that is the spur of doing well."

No nation, ancient or contemporary, presents to its youth nobler projects of ambition than the one which we can proudly call our own, whether emulous of political eminence, or literary renown. In the absence of all hereditary distinctions and privileged orders, merit alone is the passport to success ; and here, it may be justly said, in the language of the poet,

"The field of glory is the field for all."

Here are offered on a broad and splendid theatre of ambition, the glorious rewards which the ancient republics of Greece and Rome held out to virtuous exertions for the public good, unattended with those direful results which too

often awaited among them the most meritorious services. But there are other and higher distinctions than kings or people can bestow. Our ancestors have bequeathed in their literature and language, an inheritance inferior only in value to our sacred religion, and to the great principles of our republican constitution. Our noble anglo-saxon dialect, rich and various, copious yet philosophical, in which no fact worthy of attention, is unrecorded, no important principle which has not been illustrated, now conveys instruction to as great a number of readers as any ever used by man; and, ere the lapse of another century, the English and American writer will address as many readers as are embraced in all other civilized communities. Our philosophers will enlighten the understandings, our poets melt the feelings of the inhabitants of the St. Lawrence, the Mississippi, the Thames, the Burrampooter, the Macquarie, and the Messourado.

“The Western nations,” says the philosophical Humboldt, in his late address before the Imperial Academy of Sciences at St. Petersburg, “have carried into the different parts of the world those forms of civilization, that developement of the

human intellect, whose origin ascends to the epoch of the intellectual greatness of the Greeks, and to the gentle influence of Christianity. Divided in language and in manners, and in political and religious institutions, the enlightened nations form in our day but a single family, (and this is one of the most beautiful results of modern civilization,) where the object in view is the great interests of science, literature, and the arts; all that, springing from one internal source, the depths of thought and feeling, elevates man above the vulgar cares of society.”*

Although our country has but recently entered into the great career of nations, her Washington, her Franklin, her Hamilton, her Jefferson, her Rittenhouse, her Clinton, her Fulton, vie in the splendour of their renown with the most illustrious names which the ancient world can present, and are a pledge that her sons will not faint or grow weary in the course.

The diligent observer will not fail to trace an intimate connexion between the moral and intellectual cultivation of a people, with the fullest exercise of their powers, and the highest enjoy-

* Prof. Jameison's Philosophical Journal, vol. ix.

ment of their privileges. By the condition of his nature, man must prove himself capable of his rights by the antecedent discharge of his duties.

Those who cultivate the habit of thinking for themselves, soon acquire the power of dictating to others. A modern geographer represents the probable number of living writers in Germany, France, and England, as exceeding twelve thousand; "a body," adds he, "which were it not divided against itself, might govern the world." Nor does this seem an unqualified declaration. The intellectual, the moral, and the religious character of the Greeks, was formed by Homer; Cervantes, disarmed the potent spell of knight-errantry; the mighty mind of Milton at one time delineated the warfare of angels, and at another vindicated the rights and liberties of his countrymen; and, in our own times, the magic genius of Sir Walter Scott, has swept into oblivion volumes of sentimental inanity, and consecrated the pages of fiction to the noblest lessons of thought.

Such is the influence of letters. Illustrations of equal value and of a like import, may be deduced from the power exercised over a people

by the cultivation of *the Arts*. The boundary between the savage and the civilized, between the debased and the exalted of our species, may be traced in the condition of the arts and sciences. According as they are nurtured, we find them giving birth to new affections, unalloyed with the grosser habits of our nature; they increase and multiply the happiness, and capacity, and well-being of society. The Apollo of Praxiteles was admired and worshipped by a Pagan world: the sculpture of Angelo, and the pencil of Correggio have demonstrated the almost infinite faculties of our species in mind and in matter; while the divine Raphael has given to the verba ardentia of the poet augmented warmth and colouring; teaching man, of whatever clime, the supremacy of human genius, and giving impulse to the student of the most ardent fancy.

The position is axiomatic: national education is national power: and in proportion to the exigency will be the resources which it holds at command.

The most strenuous asserters of political liberty have ever been found among those who have explored the treasures of science and literature;

and the alliance between knowledge and liberty is natural, if not necessary ; the nauseous soil of despotism is prolific only of insects and venomous reptiles,

In the recent revolution which hurled a tyrant from his throne, the cultivators of science were among the warmest devotees to free principles ; and the most ardent defenders of the liberties of the nation, were the beardless pupils of the Polytechnic School. Should the rights of the American nation ever be invaded, either by a foreign or domestic foe, which heaven forbid, I cannot doubt that the favoured youth of her seminaries of learning, faithful to the great lessons of Greece and Rome, and to this illustrious example, would present an impregnable phalanx of spirits devoted to her cause.

I may be allowed to advert for a moment to the influence of letters on the modern state of society. By means of the facilities and impetus which are now applied to the productions of the press, and by the perfect intercourse which is now established throughout the great commonwealth of letters, the researches of every member pass in review the critical tribunal of all ; thus refined and

elaborated, it has ready access to the fireside of the laborious peasant and the active inhabitant of the town. The heavy tome, once the delight of the scholar, and the dread of all others, now yields to the comely pocket manual, and what was at a former period the luxury of the arrogant and pedantic recluse, has become the daily fare of the inquiring of all classes. Nor need we regret this revolution in letters. By means thereof the ample treasures of wit and knowledge are unlocked to the better half of our species, and grave wisdom is made attractive by the graces of refinement and social intercourse. It was the boast of the almost inspired sage of antiquity, that he called the attention of the learned from the vain search of natural causes to the moral pursuits of man: it is the triumph of modern philosophy to have opened the page of every variety of knowledge equally to the contemplative and to the active, to the philosopher and to the fair.

An illustrious character of antiquity congratulated himself that he was born a Greek, and not a barbarian. May we not in like manner congratulate ourselves that we are natives of the western

world, and participate in the enjoyment of privileges hitherto denied to the inhabitants of every other portion of the globe.

Nay, more, it is our happy destiny to occupy the fairest portion of this favoured domain. The State of New-York is the best representative of our common country, and is the acknowledged precursor in most of those plans of improvement for which the world is indebted to America. Here have been first successfully executed those grand measures of internal intercourse, which are gradually extending their consequences throughout our land: here the application of the power of condensed vapour to the wants and conveniences of man has been first effectively exhibited: here the most beneficial system of common school education has been exemplified on a scale of surpassing grandeur and importance; and here the reform in the complex fabric of our legal system has been most extensively applied. The metropolis which we inhabit, though inferior in extent to many in the ancient world, rivals in importance as a commercial emporium the most commanding and celebrated in history. The wealth, the science, the arts of all nations are tributary to

her enterprize and spirit. The character of the state happily corresponds with that of her metropolis.

In the language of that most eminent geographer of our days, Malte Brun, "if we estimate the importance of the State of New-York, now the most populous and powerful of the Confederation, by the intelligence of the people, their physical, moral, and commercial activity, and the wonderful spirit of improvement they display, we shall find that this small community is entitled to take precedence of many European kingdoms and of the whole empire of Mexico."

I have attempted, as appropriate to this occasion, as suitable to the views and wishes of my Philolexian friends, whose association corresponds with the best anticipations of its supporters, to trace a brief outline of the life and services of one, whose mind was reared, and whose juvenile ambition was excited, by the discipline of Columbia College.

"Sæpe audiui," says one of the ablest historians of Rome, "Quintum Maximum, Publicum Scipionem, præterea civitatis nostræ præclaros viros solitos ita dicere, *cum majorum imagines*

intuerentur, vehementissime sibi animum ad virtutem accendi.

ROBERT R. LIVINGSTON was descended from a family of historical celebrity in the annals of Scotland. Kings, regents, and nobles appear in the line of his ancestors, and probably no individual ever emigrated to the new world who could boast more numerous or more distinguished evidences of rank and title. Without dwelling with unnecessary minuteness on this portion of his history, I may be permitted to observe that James Livingston, in the middle of the fifteenth century, was appointed Regent of Scotland during the minority of James I.; that his grand daughter married Donald, king of the Hebrides, one of whose descendants is celebrated by the immortal pen of Sir Walter Scott, in his poem, the Lord of the Isles.

The titles of Earl of Newburgh, Earl of Linlithgow, Earl of Callander, and Earl Livingstone, given to several distinct members of this family, attest its standing and importance in the state, and add lustre to the honours of its name. Nor were they undistinguished in the early literature of their native country; and the name of

Rollock, of kindred origin, occurs at the close of the sixteenth century as first principal of the celebrated University of Edinburgh.

Lord Livingstone was the common ancestor of that branch of the Livingstons, which emigrated to this country in the middle of the seventeenth century. He was hereditary governor of Linlithgow castle, in which Mary, Queen of Scots was born, and in which she was placed for safety during the invasion of Scotland by the Duke of Somerset. His daughter was one of the four ladies who attended this princess to France as her companion. His great grandson, John Livingston, an eminent, learned, and pious minister of the Gospel, emigrated to Rotterdam in 1663, the victim of religious persecution, and was one of the commissioners of Scotland in the negotiations which eventuated in a general peace, and in the transfer of the colony of New-York from the states of Holland to England.

Robert Livingston, his son, about the period of his father's death in 1678, emigrated to America; and in 1686, obtained a patent for the Manor of Livingston. The banks of that noble river on which it is situate attest in its ornaments their

taste and opulence. He was a member of the convention at Albany in 1689, which threw off, on the part of New-York, the oppressive government of James II. In a visit to England, he held a conference with King William, Lord Chancellor Somers, and others, and prompted the enterprize against the pirates who then infested various parts of the American coast. The agent employed to effect this purpose proved treacherous to the trust and, as is supposed, with the connivance of Robert Fletcher, the governor of the state. This agent afterwards became chief among the pirates, and is known in the popular traditions of the country by the name of Capt. Kidd. The grandsons of Robert were, Philip Livingston, one of the signers of the declaration of Independence, on the part of the State of New-York; William Livingston, governor of New-Jersey, known as a poet of high order, and still more estimable for his vigorous defence of the civil and religious rights of the colonies in council and by the pen. Robert Livingston's great grand-sons were, John H. Livingston, the father of the Reformed Dutch Church in America, and president of Queen's College, New-Jersey, Brockholst Livingston, late

one of the justices of the Supreme Court of the United States, Edward Livingston, formerly mayor of this city, a member of the House of Representatives from the District of New-York, member from Louisiana, in the United States senate, and recently appointed Secretary of the Department of State, and ROBERT R. LIVINGSTON, the subject of our present discourse. It is in our own country that the talents of this highly gifted family have had an ample field for their display and exertion. The colonial history of our state records their elevated standing in its political affairs, and their noble resistance to those measures of oppression which arrived at their height during the early reign of George III. and which resulted in the independent sovereignty of America.

CHANCELLOR LIVINGSTON was born in the city of New-York, in 1747, and was educated in King's, now Columbia College, where he was graduated in 1764. At this time the College was in its infancy, having been founded only ten years before, by a munificent grant of land on which it is now situate, from the corporation of Trinity Church ; by the donations of pious individuals, and by funds from the venerable society for the

propagation of the Gospel in foreign parts. Even at this early day and at the commencement of its career, its faculty held at least an equal rank in ability and learning with the highest and best endowed seminaries in America. To Cutting, a scholar of Cambridge, England, and to Cochran, an alumnus of Trinity College, Dublin, she is largely indebted even at this time for the superiority which she may justly claim in the cultivation of classical literature. Nor have the fruits of this endowment been buried or lost to the world. The genius and accomplishments of her sons have amply justified the foresight and liberality of her founders. Numbers considered, no institution has more just reason to boast of the glory reflected upon her by services rendered to the public. In justice to this assertion, let me advert to the names of Hamilton, the infant assertor of his country's rights, the chief framer of your national constitution, and the founder of your funding system; Jay, the first chief justice of the United States, the negociator of the treaty of peace by which Great Britain assented to the independence of her former colonies; Morris, the eloquent orator, and one of the

founders of your state constitution ; Harrison, the able jurist and scholar ; Jones, formerly chancellor of the State, at present Chief Justice of the Superior Court ; Provost, the first Bishop of the Protestant Episcopal Church of the State of New-York ; Moore, his eminently learned and pious successor, and the fourth president of Columbia College.; the present eminent and excellent Diocesan in the Episcopal office, whom I am proud to call my class-mate at College, and my associate in our Philolexian exercises ; Washington Irving, who so ably represents American genius in the republic one and indivisible of English literature ; and who has recently entwined his own reputation with that of the daring discoverer of his native country. Mason, long the acknowledged head of the presbyterian divines of this country ; Clinton, the intrepid projector of your canal policy. I might add a host of others, whose characters are at once the pride and property of their countrymen. "Draw at a venture," says the venerable Dr. Cochran, formerly a professor in this institution, "from the oldest and illustrious seminaries of England and Ireland the same number of names as we had on our books, and I

will venture to affirm that they would not be superior to such men as Governor Clinton, Chancellor Jones, Rev. Dr. John M. Mason, and some others.”* These, gentlemen, are the rich and enduring rewards of the legislative wisdom of that assembly, which in 1753, gave birth to Columbia College.

The present list of the graduates of this school records one thousand names, distinguished in every variety of service to the Church and State.

ROBERT R. LIVINGSTON entered upon the study of the law in this city in 1765, under the direction of William Smith, the Historian of New-York, at that time an eminent counsellor of law, and subsequently Chief Justice of Canada. Shortly after having obtained his license in that profession, he was appointed recorder of his native city. The trying question of the rights of the British parliament, in which we were unrepresented, to impose exactions on our citizens, then first began to be agitated, and the subject of our memoir as well as his illustrious father were both ejected from their official stations, the latter as

* Dr. Cochran's letter to Dr. Hosack.—Life of Clinton, 4to.

one of the justices of the court of Oyer and Terminer, for adherence to the rights of their countrymen. It was early predicted that these rights could be successfully asserted only by the sword; but, remonstrance after remonstrance, petition after petition was presented to a ministry, attentive only to their passions, and heedless of the rights of others. The colonies, separated from one another by a thousand feelings and prejudices, soon exhibited a united resolution to resist these pretensions with manly effort. The official stations of Mr. Livingston and his son did not prevent them from joining with the great body of their countrymen in resisting claims so unjust and oppressive. In the same year the gallant Montgomery, recently connected by marriage to a sister of the Chancellor, fell on the plains of Abraham, fighting with the valour of his native, in defence of his adopted country.

In return for royal persecution, CHANCELLOR LIVINGSTON was rewarded by popular favour and the confidence of his country. In this war of principle, now commencing, Massachusetts, New-York, and Virginia represented not imperfectly the entire population of the American colonies.

The first was settled by emigrants chiefly from England, puritans in religion and in politics. Virginia was colonized by an adventurous population who transferred with them the rights and feelings of Englishmen. The central colonies, of which New-York was the fairest representative, had emigrated from the states of Holland which preceded even the English in the assertion and vindication of the rights of conscience, and even during a struggle of eighty years wafted their commerce to every region of the earth.

This various population united for the most part in one spontaneous spirit of opposition to the claims of parliament; yet in New-York, her magnificent but unprotected harbour, and frontier exposed to the depredations of the ruthless savage, laid her open to the naval force of Great Britain, and paralyzed for a time the efforts of her patriots. Virginia was foremost in resisting the odious stamp-act, which under a deceitful vizor concealed the arrow of destruction. In Boston, the fatal poison lurked in the tea chest. In the vicinity of this town, the blood of Englishmen and Americans first mingled in hostile conflict. The names of George Clinton, John Jay,

Philip Schuyler, and ROBERT R. LIVINGSTON are sufficient evidence that this State was not behind her elder sisters in devoted ardour and patriotism. These noble champions of our cause justly deemed their power and influence pledges of fidelity to the people, which it required their highest efforts to redeem.

In the immortal Congress of 1776, MR. LIVINGSTON represented the feelings and interests of the people of the state of New-York. At length the persevering efforts of the crown against the rights of the Colonies, produced that memorable resolution of their representatives, to dissolve forever all political connexion with the parent country: the committee appointed to justify to the world the reason of our conduct, and claim to its good feelings, consisted of Benjamim Franklin, Roger Sherman, John Adams, Thomas Jefferson, and ROBERT R. LIVINGSTON.* In this consecrated assembly, the zeal and patriotism of MR. LIVINGSTON were universally acknowledged.

I need not dwell for a moment on the awful responsibility assumed by your representatives.

* In the illustration of this august assembly by the pencil of the distinguished Colonel Trumbull, Mr. Livingston appears with historical fidelity.

Suffice it to say, that, as when the elder Brutus announced to the Roman people the outrage committed by Tarquin, and invoked their bravery and patriotism, our virtuous ancestors responded to the call, and with their hearts and votes united in pledging their lives and fortunes to maintain their sacred rights. When, at the recommendation of Congress, each state proceeded to frame a constitution of government, Mr. LIVINGSTON was elected a member of the convention of New-York, and was the chairman of the committee who presented the draft of that instrument which, as subsequently adopted, formed an era in legislation, and may be fairly pronounced the most judicious scheme of polity then known to the world.

On the formation of the Department of Foreign Affairs, in 1781, under the articles of confederation, he accepted the appointment of Secretary, and served in that capacity with great diligence, promptness, and impartiality, until 1783, when, on retiring from office, he received the thanks of Congress, and an assurance of the high sense they entertained of the ability, zeal, and fidelity with which he had discharged the important trusts

reposed in him. The diplomatic correspondence of the revolutionary war, which has just appeared, may be here referred to as documentary testimony to his cabinet services in our great contest.*

MR. LIVINGSTON was appointed Chancellor of the state of New-York in 1783, being the first who held that office under the state constitution; and he continued in this highest legal distinction in the state until his mission to France, in 1801. For his ability and fidelity in the discharge of his judicial duties, I appeal to the learned members of the profession. No published documents record the evidences of his laborious research and accurate discrimination. But I am authorized to assert, on the testimony of a most distinguished successor† to his office, that the august tribunal, whose justice he dispensed, though since covered with a halo of glory, never boasted a more prompt, more able, or more faithful officer.

When at length the valour of our ancestors had borne them successfully through the revolutionary contest, and redeemed those pledges which had been offered on the altar of their

* Spark's Diplomatic Correspondence.

† Chancellor Jones.

country, another and a still more arduous task remained. In vain had our patriots moistened the soil with their blood, had our countrymen been left the victims to their own tormenting feuds and passions. The bond of union which united us during the period that tried men's souls, was almost rent asunder during the trials of peace. The legislature of Virginia, so early as in 1785, at the instance of Mr. Madison, who then first gave presages of his future greatness, had appointed commissioners, with a view to form commercial regulations for the general control of the states. Commissioners from several states met accordingly at Annapolis, the following year. From the want of adequate powers they separated without effecting the object for which they were delegated. In 1787, on the recommendation of the Massachusetts delegation, composed of Francis Dana and Rufus King, was convened, at Philadelphia, that memorable assemblage of heroes and statesman, who met to devise a plan of government which should convey the blessings of liberty to, I trust, the latest generations.

From New-York emanated the plan of that national compact which now binds these states

together. Hamilton and Madison were its principal authors. To the former is chiefly due the honor of projecting that happy compromise between the rights of sovereignty and of individuals, so ably expounded on a recent occasion, by a successor to his reputation and glory.* The good sense of our people ratified it by their suffrages. Let it not be deemed irrelevant on this occasion, if I advert to that excellent series of papers written in defence and in illustration of the constitution. These papers were first presented to the public from the press, in this city: in all human probability they were among the most efficient causes of its adoption. The *Federalist* may be equally consulted by the classical scholar, for the elegance of its language, and by the statesman, for its profound exposition of polity. It is the best vindication extant, of the principles of a republican government, and ought to be thoroughly understood by all who exercise the privileges secured to us by the great constitutional charter of which it is the luminous interpreter.

* Hon. Daniel Webster, in the Senate of the United States.

Of the convention, which assembled at Poughkeepsie, in 1788, CHANCELLOR LIVINGSTON ^rwas one of the most efficient members, and prevailed in effecting its ratification by his native state ; thus securing its adoption by the United States. We are now in the full enjoyment of its blessings. May no vaulting ambition on the part of our statesmen, or madness on the part of our people, ever put it in jeopardy for a moment. May it never be rendered oppressive by too liberal a construction of its powers : may it never be nullified by metaphysical refinement.

In April, 1789, this city was the scene of one of the most solemn ceremonies recorded in the annals of America. The great Washington having conducted, to a successful issue, the momentous contest for independence, and the sages of our nation having elaborated a constitutional code of government, all eyes were directed to the illustrious hero, whose wise and sagacious counsels, no less than his valour, pointed him out as the most competent, under Providence, to guide the vessel of state in safety. When that venerated patriot, agreeably to your wishes, was about to enter upon the duties of the highest office

known to freemen, CHANCELLOR LIVINGSTON became the witness of his solemn appeal to heaven, that the laws should be faithfully administered.

The appointment of CHANCELLOR LIVINGSTON to the court of France, was one of the first acts of the new administration of Jefferson. Napoleon Bonaparte, the youthful conqueror of Italy, was at this time First Consul of the French republic. At his court, which rivalled in magnificence and splendour the most august courts of Europe, the Chancellor at once conciliated the good feelings of that extraordinary man, by the amenity of his manners, and promoted the best interests of his country, by persevering and enlightened exertions. During the short-lived peace of Amiens, Paris was visited by the refined and intelligent from every part of the civilized world; and here the Chancellor found leisure, amidst the duties of official station, to cultivate those ornate studies, for which that capital furnishes every facility. On the day of a great levée, which assembled at the Tuilleries, says the biographer* of Fox, the

* Trotter.

numerous representatives of nations and strangers from every country, to pay their respects to the First Consul of France, now established as the sole head of the government, the American ambassador, MR. LIVINGSTON, plain and simple in manners and dress, represented his republic with propriety and dignity.

In that important negociation with the government of France, which resulted in the acquisition of Louisiana, CHANCELLOR LIVINGSTON was the prominent and efficient agent. Its transfer by the Spanish government to France, in 1802, had excited the most lively feelings of the American republic. By this unexpected measure, they were made the neighbours to a power, which, under the giant energies of the First Consul, threatened, in case of rupture, the very existence of our republic. Immediately preceding the entrance into it of the French authorities, the Spanish powers prohibited the inhabitants of the western country the use of New Orleans as a place of deposit for their productions, contrary to the treaty with his Catholic majesty. An universal spirit of indignation animated the American people ; and there were not wanting those who recommended an

immediate recourse to arms. The discussions on this question in the Congress of the United States elicited debates, in which De Witt Clinton and Gouverneur Morris, representatives of this state in the American Senate, sustained the different views of the rival parties of this country. In pursuance of the sounder counsels of those who urged the propriety of negociation and peace, the Executive of the United States deputed, as minister to the Court of France, the late President Monroe ; but previous to his arrival, MR. LIVINGSTON, in an elaborate and interesting memoir, addressed to the French government, had prepared them for the cession of the greater part of Louisiana.* To further this great object, he had also personally importuned the First Consul.

The result of CHANCELLOR LIVINGSTON's efforts was prompt and successful. On the fifth of April, the First Consul announced to his bureau of state, his determination to sell whatever of American territory he had obtained from Spain. Seven days afterwards, Mr. Monroe arrived in

* Livingston's Memorial.

Paris, and gave the consent of the American government to this negotiation. The menacing posture of affairs between France and England facilitated the objects of these arrangements, and resulted in the transfer of the entire country to the American republic, for a sum less than was adequate for the preparation of a single campaign.

By this important treaty, contrary to the anticipations of the timid or interested, the confederacy of our states was placed on an invulnerable basis ; territory was added to our country, nearly equal in extent to that of the original states of our union ; and the blessings of free government secured to millions, who had otherwise groaned under the vassalage of foreign dominion. The vast deserts of Louisiana are daily becoming the cheerful residence of an intelligent and Christian population, with American blood flowing in their veins, and beating responsive to republican feelings ; and the field of New-Orleans is now added to those of Bunker Hill, Stillwater, and Chipeway, as trophies of American valour and patriotism.

After the signing of this eventful treaty, the

three ministers arose, says one of them, the Count Marbois, when MR. LIVINGSTON, expressing the general satisfaction, said, with prophetic sagacity, " We have lived long, but this is the noblest work of our whole lives. The treaty which we have just signed has not been obtained by art, or dictated by force ; equally advantageous to the two contracting parties, it will change vast solitudes into flourishing districts. From this day, the United States take their place among the powers of the first rank ; the English lose all exclusive influence in the affairs of America. Thus one of the principal causes of European rivalries and animosities is about to cease. The United States will re-establish the maritime rights of all the world, which are now usurped by a single nation. These treaties will thus be a guarantee of peace and concord among commercial states. The instruments which we have just signed, will cause no tears to be shed ; they prepare ages of happiness for innumerable generations of human creatures. The Mississippi and Missouri will see them succeed one another, and multiply, truly worthy of the regard of Providence, in the bosom of equality, under just laws, freed from the errors

of superstition and the scourges of bad government."

The consequences of this act did not escape the penetration of the First Consul. "This accession of territory," said he, "strengthens forever the power of the United States, and I have just given to England a maritime rival, that will sooner or later humble her pride."*

The official duties of Resident Minister at Paris, did not prevent CHANCELLOR LIVINGSTON from bestowing his attention to those objects of taste congenial to his feelings, and beneficial to his country. To the American Academy of Fine Arts, established in New-York, in 1801, he added the excellent collection of busts and statues which are now the boast of that institution, and was instrumental in procuring, from the liberality of the First Consul, its rich paintings and prints. He continued through life devoted to its interests, and was for many years its chief officer. To the Transactions of the Society for the Promotion of Useful Arts, established in 1793, chiefly through his exertions, he contributed many appropriate

* Marbois.

papers, and, during his residence abroad, enriched our agriculture with the improvements of French husbandry.

The last effort of his pen was his Paper on Agriculture,* written but a few days before his fatal illness. In this spirited essay, he vindicates the climate, soil, and capabilities of his native country. He shows the value of horticultural labour, and demonstrates the reciprocal connexions between agriculture and manufactures. The inherent fertility and the indigenous resource of the country, are the themes of his admiration and eulogy. He was among the earliest, with Judge Peters, to employ gypsum as the means of fertilizing soils; and the introduction of clover, and a better breed of domestic cattle, attest his vigilant and enlightened zeal.

One other benefit conferred on mankind, will, of itself, convey the name of CHANCELLOR LIVINGSTON to the remotest posterity; his co-operation with Robert Fulton, in effecting the successful application of steam navigation, the most important improvement since the invention of printing,

* Brewster's Encyclopædia. Am. Ed.

and only inferior to it in lasting consequences to mankind. By it the great community of nations is bound together by commercial and social intercourse; the arts of war are made to yield to the profitable pursuits of peace; universal civilization, universal education, and the benign influence of religion conveyed to every land.

“The connexion between Livingston and Fulton,” says the late lamented Clinton, “realized to a great degree, the vision of the poet. All former experiments had failed, and the genius of Fulton, aided and fostered by the public spirit and discernment of LIVINGSTON, created one of the greatest accommodations for the benefit of mankind. These illustrious men will be considered, through all time, as the benefactors of the world.”*

The leisure hours of CHANCELLOR LIVINGSTON were devoted to every variety of science, arts, and literature. The heroic authors of antiquity, Homer and Virgil, Demosthenes and Cicero, were among those which contributed to improve his taste and expand his thought and feeling. His

* Clinton's Discourse before the American Academy of Fine Arts.

historical researches were various and extensive. All this was not effected without unremitting industry. Every interval of time afforded from the duties and cares of public life, was devoted, with scrupulous fidelity, to add to his stores of knowledge. Like the Chancellor D'Aguesseau, in variety of pursuit, he found that relaxation which others seek in pleasure and amusement.

The style of his oratory was chaste and classical, and of that persuasive kind which the father of poetry ascribes to Nestor. All who were witnesses, testify to the mute attention with which he rivetted his auditors. But he chiefly delighted in the pathetic, and often, by his appeals to the sympathies of his hearers, counteracted the most powerful prejudices. His acknowledged integrity and patriotism doubtless added force to all he uttered. Franklin termed him the American Cicero: in him were united all those qualities which, according to that illustrious Roman, are necessary in the perfect orator.

After a life, every portion of which was devoted to the benefit of his fellow man, he paid the last debt to nature, at his seat, at Clermont, on the 26th of February, 1813.

Thus it appears, from this imperfect tribute, that the late CHANCELLOR LIVINGSTON was an active agent in the most momentous events that have influenced the destinies of mankind. Of the congress of 1776, which resolved that these states were free and independent, he was a distinguished member, and belonged to that committee which framed the declaration of our grievances and rights,—and which will transmit their names to the latest posterity: of the convention of New-York which formed the constitution of our state—the best devised scheme of polity then known to the world; of a subsequent convention, which ratified the constitution of the United States, devised by the wisdom of Hamilton and Madison. The important actor in a negotiation, which doubled our country in extent, and, I trust, has rendered it forever secure from foreign intrusion; the coadjutor in that noblest of all improvements in mechanics, by which time and space are annihilated—the invention of steam navigation.

In MR. LIVINGSTON, to the proud character of integrity, honour, and disinterestedness, were added the mild, yet ennobling features of religion. An inquiring believer in its truth, an exemplar of

its gentle effects on the character, he daily sought its consolations, and strengthened his pious resolutions in the rich inheritance it promises. He was devoted to the Protestant Episcopal Church, from an enlightened preference of its doctrines and discipline, without hostile feelings to those who trust to other guides in religion than Chillingworth and Hooker.

CHANCELLOR LIVINGSTON, at the time of his death, was in the 66th year of his age. His person was tall and commanding, and of patrician dignity. Gentle and courteous in his manners, pure and upright in his morals. His benefactions to the poor were numerous and unostentatious. In his life without reproach, victorious in death over its terrors.

CHANCELLOR LIVINGSTON was educated in your Academic Retreat.

